OHR Guide To: Personal Medical Emergencies

This guide provides an overview of the leave options available to employees who have experienced a Personal Medical Emergency. Dealing with a personal medical emergency can be a stressful experience. By providing this fact sheet, OHR aims to eliminate worrying about leave options from the list of items our employees are balancing during their time of need.

Have a Conversation with your Supervisor

As soon as you are aware of an emergency leave issue or a potential issue, OHR recommends preparing a leave plan and sitting down with your supervisor to review. Leave requests must be made to and approved by your supervisor.

Leave Types Available for a Personal Medical Emergency

Sick Leave
- Can be used for medical, dental, or optical examination or treatment;
- When an employee is incapacitated for the performance of duties by physical or mental illness, injury, pregnancy, or childbirth; or
- If determined by the health authorities having jurisdiction or by a health care provider that the employee may jeopardize the health of others by his or her presence on the job because of exposure to a communicable disease.

Annual Leave
- Can be used for personal medical emergencies, bonding with a healthy child, as well as sick leave purposes.

Family Medical Leave Act (FMLA)
- FMLA, an unpaid leave status, provides up to 12 weeks per 12 calendar months of job protection for the birth of a son or daughter and the care of that newborn child, as well as for serious medical conditions. Childbirth and recuperation, as well as any incapacitation related to the pregnancy before childbirth, generally qualify as serious medical conditions under FMLA.
- Provides coverage for employees with at least twelve months of civilian service.
- Employees can substitute paid leave (their own or donated, if they have exhausted their leave) while under FMLA.

Advanced Leave
- In appropriate circumstances, a supervisor *may* approve either advanced sick or annual leave upon request by the employee. An employee may be advanced up to 240 hours of sick leave depending on the basis for the request, and may be advanced no more than the amount of annual leave they would otherwise accrue by the end of the current leave year.

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- Leave must not be advanced when it is likely the employee will retire, be separated, or resign before earning the leave to repay the advance.
- Note: In most circumstances, advanced leave must be repaid.

Leave Sharing Guidelines

- An employee can receive assistance from both leave sharing programs simultaneously.
- It is important to note that in order to receive donated leave from either program, an employee must be projected to go into a non-pay status for at least 24 work hours.

Leave Sharing Programs

- Voluntary Leave Transfer Program (VLTP): Donations are made from one federal employee directly to the NIH employee in need. Note that the amount of leave received may not meet the level of need.
- Leave Bank: When you become a member of the Leave Bank, it can provide a more reliable source of paid leave donations than VLTP because approved recipients draw from a pooled fund of annual and restored annual leave up to the Leave Bank's annual cap, and do not need to rely on direct donations from co-workers.

Additional Leave Resources

- NIH Leave Sharing Comparison: https://hr.od.nih.gov/benefits/leave/vlbp/leave.htm
- NIH Manual Chapter on Family Leave Policies and Programs: http://oma1.od.nih.gov/manualchapters/person/2300-630-5/
- Office of Personnel Management (OPM) Fact Sheet on Family and Medical Leave: https://www.opm.gov/policy-data-oversight/pay-leave/leave-administration/fact-sheets/family-and-medical-leave/
- OPM Handbook on Leave and Workplace Flexibilities Available For Childbirth, Adoption and Foster Care: https://www.opm.gov/policy-data-oversight/pay-leave/leave-administration/fact-sheets/handbook-on-leave-and-workplace-flexibilities-for-childbirth-adoption-and-foster-care.pdf
- OPM Handbook on Workplace Flexibilities and Work-Life Programs for Elder Care: https://www.opm.gov/policy-data-oversight/pay-leave/leave-administration/fact-sheets/handbook-on-workplace-flexibilities-and-work-life-programs-for-elder-care.pdf

Complimentary Resources

- EAP (Employee Assistance Program)
  - EAP can connect you to other resources you might need.
- Work Schedule Flexibilities
  - Work schedule flexibilities can be a help during your Medical Emergency.

Last updated October 6, 2016

Find your Contacts

- **Benefits (**AskBPLB@nih.gov**)**
  - https://hr.od.nih.gov/benefits/benefitscontacts.htm
- **Leave Bank (**LeaveBank@od.nih.gov**)**
  - https://hr.od.nih.gov/benefits/leave/vlbp/coordinators.htm
- **OHR Leave Group**
  - WorkFlex@nih.gov
- **VLTP**
  - https://intrahr.od.nih.gov/vltp/reps.htm

Last updated October 6, 2016